

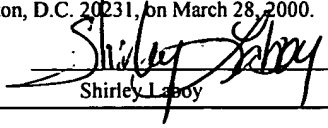


SECTOR 1

PATENT  
Docket No. 425712000921

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on March 28, 2000.

  
Shirley Laboy

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Christopher J. DANEK, et al.

Serial No.: 09/436,455

Filing Date: November 8, 1999

For: DEVICES FOR MODIFICATION OF  
AIRWAYS BY TRANSFER OF  
ENERGY

Examiner: Not yet assigned

Group Art Unit: 3737

## TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

Box Maintenance Fee  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In complete response to the Notice to File Missing Parts of Application Under  
37 C.F.R. § 1.53(f) dated December 14, 1999, attached please find:

- ☒ A declaration signed by the inventor(s) and the surcharge of \$130.00 as set forth in 37 C.F.R. § 1.16(e).
- ☒ A Power of Attorney and Prosecution by Assignee Under 37 C.F.R. § 3.71.
- ☒ A Declaration of Small Entity Status.
- ☒ A Petition for Extension of Time.
- ☒ Notice to File Missing Parts of Application Form PTO-1533.
- ☒ Certificate Under 37 C.F. R. § 3.73(b) with a copy of the Assignments.
- ☒ Other: Return receipt postcard.

~~04/04/2000 Y61ZAW 00000011 031952 09436455~~  
~~State Ref: 00000012 DAB 031952 09436455~~  
~~04 FC:201 35.00 CH 345.00 GP~~

The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	78 - 20 =	58	x \$18.00	\$1044.00
INDEPENDENT CLAIMS	4 - 3 =	1	x \$78.00	\$78.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0
			BASIC FEE	\$690.00
			TOTAL OF ABOVE CALCULATIONS =	\$1812.00
Reduction by 1/2 for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28). If applicable, verified statement must be attached.				\$906.00
SURCHARGE FOR FILING MISSING PARTS				\$65.00
PETITION FOR TWO MONTH EXTENSION OF TIME				190.00
			TOTAL =	\$1161.00

☒ A check in the amount of \$1161.00 is attached.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 03-1952**. A duplicate copy of this transmittal is enclosed for that purpose.

Respectfully submitted,

Dated: March 28, 2000

By: Sanjay S. Bagade  
Sanjay S. Bagade  
Registration No. 42,280

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
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**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/436,455 11/08/99 ?

435712000921

0212/1214

MORRISON & FOERSTER LLP  
755 PAGE MILL ROAD  
PALO ALTO CA 94304-1018

NOT ASSIGNED

DATE MAILED: 3737

12/14/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☐ non-small entity is \$ 2012.00.

- ☒ 1. The statutory basic filing fee is:  
☒ missing.  
☐ insufficient.

Applicant must submit \$ 260.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$ 1044.00 for 58 total claims over 20.

\$ 78.00 for 1 independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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DEC 17 1999

MORRISON FOERSTER